

STATE OF WASHINGTON  
**STATE BUILDING CODE COUNCIL**

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**MINUTES  
CONFERENCE CALL MEETING  
LEGISLATIVE COMMITTEE**

**Date:** January 27, 2005

**Monitor Location:** Raad 3 Conference Room, Olympia

**Legislative Committee Members Present:** Dave Baker, Vice Chair; Peter DeVries; John Neff; Steve Nuttall

**Legislative Committee Members Absent:** Steve Mullet, Chair; John Cochran; Neva Corkrum

**Visitors Present:** None

**Staff Present:** Tim Nogler, Al Rhoades, Krista Braaksma, Sue Mathers

**CALL TO ORDER**

Dave Baker, Vice Chair, called the meeting to order at 1 p.m. Dave welcomed everyone to the conference call.

**REVIEW AND APPROVE AGENDA**

The agenda was reviewed and approved as written.

**LEGISLATIVE UPDATE**

Dave Baker asked Tim Nogler to review the Legislative Tracking Log of Bills of Interest. Dave believes that HB 1062 should be monitored because it may impact the energy code (lighting allowance) and the plumbing code (clothes washers and dryers). Tim said that the bill is an appliance standard, not intended to be enforced through the state building code. Peter DeVries asked if there's an impact on manufacturers. Dave answered that the impact is that manufacturers cannot sell certain products in the state of Washington. Dave believes that there will be lots of impacts from this bill, particularly administration and monitoring. Installer permits will be required. Dave's concerned that enforcement will fall to building officials. Thus he suggested doing a regulatory review of the bill. John Neff agreed to review the bill.

Tim said that HB 1159 limits the liability of distributors if they follow NFPA 54 and 58. However enforcement authority is not addressed in the bill. Neither the State Building Code Council, local building officials nor local fire marshals are mentioned.

Tim said HB 1272, green building standards, has previously been introduced for several sessions. It requires state-funded facilities, and new construction that receives a certain amount of state funding, to meet energy efficiency design, high performance green building standards. Peter asked if the bill applies to private building projects that receive state grants. Dave responded yes, although school districts and other government buildings are targeted.

Tim said HB 1272 has a long list of sponsors, both in the House and the Senate. It's a compromise, developed by the Joint Legislative Task Force on Green Buildings, which Tim participated in. He said it was first introduced in 2003. The bill is scheduled for hearing on Monday, January 31. Tim will monitor this bill.

Tim said there are two regulatory bills dealing with administrative procedures that Council staff is tracking. One requires the Governor's signature on "significant" rules. The other, HB 1445, deals with small business impact statements.

### **Fire Safety Bills (SB 5374 and HB 1401)**

Steve Nuttall said there are lots of problems with these bills. He's not sure how they originated. John Neff said they're patterned after legislation in the state of Massachusetts. The problem is that they're based on the enforcement process in Massachusetts, which is substantially different from Washington's enforcement process.

Dave asked for confirmation that the bills require the applicant of an alcoholic beverage license to provide a sprinkler system for his establishment. John confirmed that is true. Dave said he doesn't think anything in Washington's current codes should be changed to comply with the provisions of HB 1401. Steve said the bill requires that the Council adopt standards requiring that Group A2 occupancies have sprinklers if their occupancy rate exceeds 100. Dave said he believes the licensing procedure can accomplish what is required by the legislation without the Council amending state codes. Steve noted that licensing requirements may be enforceable only by the Liquor Control Board, not by another state agency or by a local building official. Dave said the bill puts the onus on the establishment owner who needs the liquor license. Steve said that licensing is used as a "hammer" to get the sprinklers installed.

Tim clarified that there are two sections to the bill, one regulating the licensing of liquor establishments, and the other regulating assembly occupancies, that may or may not serve liquor. John said requiring a local inspector to inspect every bar, lounge, etc. is what really bothers him about the bills. He said they're very, very poorly written.

Steve noted that when the Massachusetts legislature enacted the bill, a huge appropriation accompanied it for regulation. John added that lots of money was also given to local jurisdictions for training.

Dave asked if the Legislative Committee, on behalf of the Council, wishes to take a position supporting or opposing this legislation. Steve suggested monitoring it through the first hearing. John agreed. The consensus of the Legislative Committee is to monitor the fire safety bills.

Dave said that the hearing on this bill, before the House Local Government Committee at 1:30 p.m. on February 3, occurs at the same time as the conference call meeting time of the Council's

Legislative Committee. John volunteered to attend the House Local Government Committee meeting, to monitor HB 1401 rather than to testify.

## **ADJOURNMENT**

Lacking further business, Dave adjourned the conference call meeting of the Legislative Committee at 1:45 p.m.